

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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FERNANDO HERNANDEZ, *et al.*,

Plaintiffs,

- against -

THE FRESH DIET INC., *et al.*,

Defendants.  
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**ORDER**

15-CV-1338 (ALC) (JLC)

**JAMES L. COTT, United States Magistrate Judge.**

Following the hearing held on November 15, 2016, former counsel for defendants Kaufman Dolowich & Voluck LLP (“KDV”) have advised the Court by letter dated November 21, 2016 (Dkt. No. 98), which the Court has docketed, that they are withdrawing their request for a retaining lien in this matter. Accordingly, the Court considers that issue to be resolved.

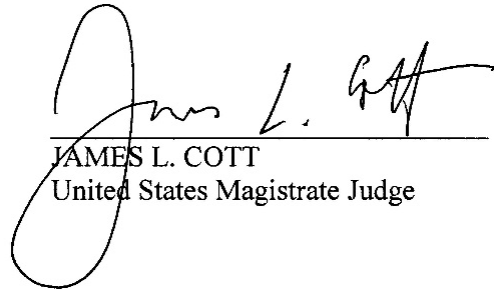
As previously indicated in the Court’s Order dated September 12, 2016 (Dkt. No. 74), the corporate defendants (excluding Innovative) must appear by new counsel because a corporation must, by law, be represented by counsel. New counsel must appear for the corporate defendants no later than **December 30, 2016**. If the corporate defendants fail to retain new counsel by that date, plaintiffs may seek a default judgment against them.

The individual defendants, namely Syed Hussain, Judah Schlass, and Zaimi Duchman, may appear by counsel or, alternatively, proceed *pro se*. If the individual defendants retain new counsel, the new attorney must file a notice of appearance on their behalf no later than **December 30, 2016**. If the individual defendants proceed *pro se*, they must advise the Court by letter of their intentions by this same date and provide contact information for each of them.

A status conference will be held on **January 6, 2017 at 10:30 a.m.** in courtroom 21-D, 500 Pearl Street, New York New York. At the conference, the Court and the parties will chart the further course of this litigation. Defendants' new counsel, or, alternatively, defendants themselves, if they proceed *pro se*, must attend the conference. Discovery will remain stayed until the time of the conference. As a final act, KDV is directed to provide a copy of this Order to their former clients.

**SO ORDERED.**

Dated: New York, New York  
November 22, 2016



JAMES L. COTT  
United States Magistrate Judge

**A copy of this Order has been emailed to:**

yudas1@gmail.com  
zalmid@gmail.com